

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:11-cv-08662-AKH-JCF**

Natural Resources Defense Council, Inc. v. United States Food
and Drug Administration
Assigned to: Judge Alvin K. Hellerstein
Referred to: Magistrate Judge James C. Francis
Cause: 05:552(a) Complaint in the Nature of Mandamus

Date Filed: 11/29/2011
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**Natural Resources Defense Council,
Inc.**

represented by **Mitchell S. Bernard**
Natural Resources Defense Council, Inc.
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(212)-727-4406
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Email: mbernard@nrdc.org
ATTORNEY TO BE NOTICED

Nicholas James Morales
Natural Resources Defense Council
1152 15th St. Nw
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ATTORNEY TO BE NOTICED

V.

Defendant

**United States Food and Drug
Administration**

represented by **Christopher Blake Harwood**
United States Attorney's Office
Southern District Of New York
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Date Filed	#	Docket Text
11/29/2011	<u>1</u>	COMPLAINT against United States Food and Drug Administration. (Filing Fee \$ 350.00, Receipt Number 465401023076) Document filed by Natural Resources Defense Council, Inc..(rdz) (Entered: 12/01/2011)
11/29/2011		SUMMONS ISSUED as to United States Food and Drug Administration, U.S. Attorney and U.S. Attorney General. (rdz) (Entered: 12/01/2011)
11/29/2011		Magistrate Judge James C. Francis IV is so designated. (rdz) (Entered: 12/01/2011)
11/29/2011		Case Designated ECF. (rdz) (Entered: 12/01/2011)
11/29/2011	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Natural Resources Defense Council, Inc..(rdz) (Entered: 12/01/2011)
01/05/2012	<u>3</u>	ENDORSED LETTER addressed to Judge Richard J. Holwell from Christopher B. Harwood dated 12/23/2011 re: Counsel request that the deadline to answer the complaint be extended until 2/1/2012. ENDORSEMENT: EXTENSION

		GRANTED. United States Food and Drug Administration answer due 2/1/2012. (Signed by Judge Richard J. Holwell on 1/3/2012) (tro) (Entered: 01/05/2012)
01/12/2012	<u>4</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Dispositive Motion (i.e., motion requiring a Report and Recommendation). Referred to Magistrate Judge James C. Francis. (Signed by Magistrate Judge James C. Francis on 1/10/2012) (mro) (Entered: 01/12/2012)
02/09/2012	<u>5</u>	ENDORSED LETTER: addressed to Judge Richard J. Holwell from United States Attorney Southern District of New York dated 1/27/2012 re: Counsel requests that the deadline to respond to the complaint be extended from the current date of 2/1/2012 to February 15, 2012. ENDORSEMENT: Extension Granted. So Ordered., United States Food and Drug Administration answer due 2/15/2012. (Signed by Judge Richard J. Holwell on 2/7/2012) (js) (Entered: 02/09/2012)
02/15/2012	<u>6</u>	ANSWER to <u>1</u> Complaint. Document filed by United States Food and Drug Administration.(Harwood, Christopher) (Entered: 02/15/2012)
02/21/2012	<u>7</u>	STIPULATION AND ORDER: FDA will produce non-exempt records responsive to the FPL in accordance with the terms of the FPL. Inclusion of particular types or categories of records on the FPL is not a concession by FDA that such records exist or that they will not be withheld, in whole or in part, pursuant to FOIA's statutory exemptions, and as further set forth in this document. The Clerk of the Court shall mark this action closed and all pending motions denied as moot. (Signed by Judge Loretta A. Preska on 2/17/12) (cd) (Entered: 02/21/2012)
02/28/2012	<u>8</u>	ENDORSED LETTER addressed to Judge Loretta A Preska from Christopher B Harwood dated 2/27/2012 re: Joint request that the case be reopened. ENDORSEMENT: The action shall be re-opened and wheeled out accordingly. (Signed by Judge Loretta A. Preska on 2/28/2012) (cd) (Entered: 02/28/2012)
02/28/2012		Transmission to Case Assignment Clerk. Transmitted re: <u>8</u> Endorsed Letter,, to the Case Assignment Clerk for preparation of notice of case assignment/reassignment. (cd) (Entered: 02/28/2012)
02/29/2012	<u>9</u>	NOTICE OF CASE REASSIGNMENT to Judge Alvin K. Hellerstein. Judge Richard J. Holwell is no longer assigned to the case. (pgu) (Entered: 02/29/2012)
04/25/2012	<u>10</u>	ENDORSED LETTER addressed to Concerned Parties from Brigitte Jones, Courtroom Deputy by Order of Judge Alvin K Hellerstein dated 4/24/2012 re: You are hereby notified that you are required to appear for a status conf. Date: 5/18/12 Time: 10:00 a.m. Place: U.S. Courthouse – Southern District of New York 500 Pearl Street Courtroom 14D New York, New York 10007. ENDORSEMENT: It is ORDERED that counsel to whom this Order is sent is responsible for faxing a copy to all counsel involved in this case and retaining verification of such in the case file. Do not fax such verification to Chambers. (Status Conference set for 5/18/2012 at 10:00 AM in Courtroom 14D, 500 Pearl Street, New York, NY 10007 before Judge Alvin K. Hellerstein.) (Signed by Judge Alvin K. Hellerstein on 4/25/2012) (jfe) (Entered: 04/25/2012)
05/01/2012	<u>11</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Nicholas Morales dated 4/27/2012 re: I write respectfully to request postponement of the status conference scheduled for May 18, 2012 in light of the stipulation reached by the parties to the above-referenced case. Counsel for FDA consents to this request. ENDORSEMENT: So ordered. The 5/8/12 conf. is canceled. (Signed by Judge Alvin K. Hellerstein on 4/30/2012) (djc) (Entered: 05/01/2012)